

SECOND REGULAR SESSION

# HOUSE BILL NO. 1622

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE SELBY.

Read 1<sup>st</sup> time January 24, 2002, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3520L.01I

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## AN ACT

To amend chapter 632, RSMo, by adding thereto three new sections relating to comprehensive psychiatric services with a penalty provision.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 632, RSMo, is amended by adding thereto three new sections, to be  
2 known as sections 632.080, 632.082 and 632.084, to read as follows:

**632.080. 1. A mental hospital or facility administering electroconvulsive therapy,  
2 psychosurgery, prefrontal sonic sound treatment or any other convulsive or coma-  
3 producing therapy administered to treat mental illness or a physician administering the  
4 therapy on an outpatient basis shall submit to the department of mental health quarterly  
5 reports relating to the administration of the therapy in the hospital or facility or by the  
6 physician.**

**7 2. The report shall state for each quarter:**

**8 (1) The number of patients who received the therapy, including:**

**9 (a) The number of persons voluntarily receiving mental health services who  
10 consented to the therapy;**

**11 (b) The number of involuntary patients who consented to the therapy; and**

**12 (c) The number of involuntary patients for whom a guardian of such patient  
13 consented to the therapy;**

**14 (2) The age, sex and race of the person receiving the therapy;**

**15 (3) The source of the treatment payment;**

**16 (4) The average number of nonelectroconvulsive treatments;**

**17 (5) The average number of electroconvulsive treatments administered for each**



18 complete series of treatments, but not including maintenance treatments;

19 (6) The average number of maintenance electroconvulsive treatments administered  
20 per month;

21 (7) The number of fractures, reported memory losses, incidents of apnea and  
22 cardiac arrests without death;

23 (8) Autopsy findings if death occurred within fourteen days after the date of the  
24 administration of therapy; and

25 (9) Any other information required by the department.

26 3. Any violation of this section is a misdemeanor punishable by:

27 (1) A fine of not more than ten thousand dollars;

28 (2) Confinement in jail for not more than six months; or

29 (3) Both fine and confinement.

632.082. The department of mental health shall use the information received  
2 pursuant to section 632.080 to analyze, audit and monitor the use of electroconvulsive  
3 therapy, psychosurgery, prefrontal sonic sound treatment or any other convulsive or coma-  
4 producing therapy administered to treat mental illness.

632.084. 1. The change in law made by sections 632.080 to 632.084 applies only to  
2 an offense committed on or after August 28, 2002. For purposes of this section, an offense  
3 is committed before August 28, 2002, if any element of the offense occurs before such date.

4 2. An offense committed before August 28, 2002, is covered by the law in effect  
5 when the offense was committed and the former law is continued in effect for that purpose.